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REMARKS

Claims 12-30 are pending and under consideration.

In item 3, the Examiner asserts that the features of claims 29 and 30 are not sufficiently described in the application. The Examiner is referred to paragraphs [0033] and [0034] of the substitute specification. Particularly, the Examiner is referred to lines 1 and 2 of paragraph [0033]. In view of the disclosure in the application, it is submitted that the rejection should be withdrawn.

In item 5, claims 12 - 28 are rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,985,476 to Elliot et al. in view of U.S. Patent Publication No. 2004/0146013 to Song et al. and U.S. Patent No. 6,549,543 to Shin. The Examiner is requested to note that Elliot et al. is US Patent No. 6,985,476, not US Patent No. 6,685,476.

Elliot et al. (US 6685476) deals with the "routing loops" and their negative effects on networks. According to Elliot, in order to avoid routing loops, a Time-to-Live ("TTL") is assigned to each data packet. The TTL value is decremented as the packet is routed. Once the TTL value reaches a value of "0", the packet is discarded. Thus, if the packet is in a loop, the loop is terminated when the packet is discarded. However, Elliot describes that the TTL value is usually set to its maximum value, which can be high. That is, the TTL value is not tailored to network conditions (column 1, line 20 - column 2, line 3). Due to the high value, it can take a long time before a packet is discarded. The packet can remain in a loop for some time. During this time, any looping packets present in the network increase the overall network load.

Elliot aims at overcoming the drawbacks of the prior art by automatically setting TTL values/times in network nodes that are aware of network conditions (column 2, lines 6 - 10). Elliot accomplishes this by setting the TTL for a data packet based on an assumed life-time for the packet, which is in-turn based on a determined route over which the data packet might travel (column 2, lines 15 - 19). Elliot describes (column 4, line 28 to column 7, line 19) how, using routing algorithms, the network topology can be ascertained by the different routers and routing tables for routing data can be constructed and maintained. Elliot concentrates on resolving issues relating to routing loops in networks, even networks having some routes with a wireless part.

Song et al. (US 2004/0146013), deals with the problems caused by feedback in wireless systems having relay nodes. Song indicates in paragraph 0005, that up/down links can be set to different frequencies in order to isolate the signals transmitted on them from each other during

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simultaneous transmission. Song describes that frequency bands can be further subdivided into channels. A person skilled in the art upon coming across the teachings of Song, would be made aware that there exist at least two different types of multiple access, namely FDMA and TDMA and their respective mechanisms of functioning. Song clearly states that the aim of the Song invention is to extend a coverage area that does not require a separate assignment of frequencies (paragraph 0011) in order to provide efficient use of frequency spectrum in TDD.

Elliot concentrates on resolving issues relating to routing loops in networks and does not hint or suggest at using frequencies or dividing them (such issues are irrelevant to the problems Elliot is trying to solve). Therefore, a person skilled in the art would not see any motivation to use Elliot as a starting point for further modification/investigation and in particular to combine the teachings of Song with those of Elliot, as Song clearly teaches away from using frequency bands or dividing the available frequency.

Assuming now that a person skilled in the art were to somehow combine the teachings of Song (and clearly ignore the fact that Elliot does not hint or suggest at using frequencies and in particular in dividing them) into those of Elliot, he would take Song's teaching and implement a TDD solution into the mechanism for determining the TTL in Elliot. A completely different solution from the present invention would result.

The same applies if one forced the teachings of Shin to be combined into those resulting from the combination of Elliot and Song.

In view of the foregoing remarks, applicants submit that the cited references do not disclose or suggest determining a path at a radio installation or base station, as claimed. As such, the prior art rejection should be withdrawn. There being no further outstanding objections or rejections, the application is in condition for allowance.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

NOV. 22. 2010 5:16PM

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Respectfully submitted,

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Nov 22 2010

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